

# EXHIBIT A



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# Transcript of Craig Bishop

**Date:** June 27, 2024

**Case:** Cobblestone Wireless, LLC -v- T-Mobile USA, Inc., et al.

**Planet Depos**

**Phone:** 888.433.3767

**Email:** [transcripts@planetdepos.com](mailto:transcripts@planetdepos.com)

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Transcript of Craig Bishop  
Conducted on June 27, 2024

1 (1 to 4)

<p>1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE EASTERN DISTRICT OF TEXAS 3 MARSHALL DIVISION 4 -----X 5 COBBLESTONE WIRELESS, LLC, ) 6 Plaintiff, ) Case No. 7 v. ) 2:22-cv-00477-JRG-RSP 8 T-MOBILE USA, INC.; T-MOBILE ) 9 US, INC., ) LEAD CASE 10 Defendants, ) 11 NOKIA OF AMERICA CORPORATION, ) 12 ERICSSON INC. ) 13 Intervenor. ) 14 -----X 15 COBBLESTONE WIRELESS, LLC, ) 16 Plaintiff, ) Case No. 17 v. ) 2:22-cv-00474-JRG-RSP 18 AT&amp;T SERVICES INC.; AT&amp;T ) 19 MOBILITY LLC; AND AT&amp;T CORP., ) 20 Defendants, ) MEMBER CASE 21 NOKIA OF AMERICA CORPORATION, ) 22 ERICSSON INC. ) 23 Intervenor. ) 24 -----X 25 COBBLESTONE WIRELESS, LLC, ) 26 Plaintiff, ) Case No. 27 v. ) 2:22-cv-00478-JRG-RSP 28 VERIZON COMMUNICATIONS, INC.; ) 29 CELLCO PARTNERSHIP D/B/A ) 30 VERIZON WIRELESS, ) 31 Defendants, ) 32 NOKIA OF AMERICA CORPORATION, ) 33 ERICSSON INC. ) 34 Intervenor. ) 35 -----X 36 VIDEOTAPED DEPOSITION OF 37 CRAIG BISHOP 38 June 27, 2024 39 8:02 a.m. 40 CONDUCTED REMOTELY 41 42 Susan DiFilippantonio, RPR, CCR No. B-2125</p>	<p>3 I N D E X 4 WITNESS/EXAMINATION PAGE 5 CRAIG BISHOP 5 6 EXAMINATION BY MS. HAYDEN 6 7 DISCLOSURE 112 8 CERTIFICATE OF REPORTER 116 9 SIGNATURE OF DEPONENT 118 10 11 E X H I B I T S 12 Plaintiff's Exhibit 1, Curriculum 17 13 Vitae of Craig Bishop 14 Plaintiff's Exhibit 2, Declaration 15 of Craig Bishop 16 Plaintiff's Exhibit 3, Declaration 17 of Craig Bishop 18 Plaintiff's Exhibit 4, Appendix 19 24, Bates stamped JD-COBB_00067879 20 through JD-COBB_00067883 21 Plaintiff's Exhibit 5, Appendix 22 26, Bates stamped JD-COBB_00067899 23 through JD-COBB_00067904 24 Plaintiff's Exhibit 6, Appendix 25 21, Bates stamped JD-COBB00067622 26 Plaintiff's Exhibit 7, Appendix 27 22, Bates stamped JD-COBB00067623 28 through JD-COBB00067727 29 Plaintiff's Exhibit 8, Appendix 30 22-A 80 31 Plaintiff's Exhibit 9, Appendix 32 30, Bates stamped JD-COBB_00068105 33 through JD-COBB_00068123 34 Plaintiff's Exhibit 10, Appendix 35 31, Bates stamped JD-COBB_00068124 36 Plaintiff's Exhibit 11, Appendix 37 23 95 38 Plaintiff's Exhibit 12, Appendix 39 22-A 96 40 Plaintiff's Exhibit 13, Appendix 41 32 98 42 Plaintiff's Exhibit 14, Appendix 43 31 99 44 45</p>
<p>4 APPEARANCES: 5 On Behalf of the Plaintiff, COBBLESTONE WIRELESS, LLC: 6 RUSS AUGUST &amp; KABAT 7 BY: Amy Hayden 8 12424 Wilshire Boulevard 9 12th Floor 10 Los Angeles, CA 90025 11 310.826.7474 12 ahayden@raklaw.com 13 On Behalf of the Defendant, ERICSSON INC.: 14 ALSTON &amp; BIRD 15 BY: Ross R. Barton 16 Vantage South End 17 1120 South Tryon Street 18 Suite 300 19 Charlotte, NC 28203 20 704.444.1287 21 ross.barton@alston.com 22 Also Present: Dave Sullivan, videographer 23 24 25</p>	<p>4 (Thursday, June 27, 2024 8:02 a.m.) 5 THE VIDEOGRAPHER: Here begins Media 6 Number 1 in the videotaped deposition of Craig 7 Bishop in the matter of Cobblestone Wireless LLC v. 8 T-Mobile USA, Inc., et al., in the United States 9 District Court for the Eastern District of Texas, 10 Marshall Division, Case Number 11 2:22-CV-00477:474:478-JRG-RST. 12 Today's date is June 27th, 2024, and the 13 time on the video monitor is 8:02 a.m. The remote 14 videographer today is Dave Sullivan, representing 15 Planet Depos. All parties to this video deposition 16 are attending remotely. 17 Would counsel please voice identify 18 themselves and state whom they represent. 19 MS. HAYDEN: Good morning, good 20 afternoon, everyone. I'm Amy Hayden from Russ 21 August &amp; Kabat, and I represent the plaintiff in 22 the case that the videographer read on, Cobblestone 23 Wireless LLC. And it's also my understanding that 24 this is a combined deposition with an additional 25 case. If it's okay, I'm -- I'm going to go ahead 26 and read that case information into the record. 27 Okay. Thank you. It's -- the lead case 28 is Wireless Alliance LLC v. AT&amp;T Mobility LLC, et</p>

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5 (17 to 20)

<p>17</p> <p>1 Q. You said "in the '90s." Do you recall a more 2 specific time frame that you worked for the -- 3 <b>A. When I worked for the Radiocommunications Agency</b> 4 <b>was between 1993 and November -- end of November 1996.</b> 5 Q. Aside from the contract work that you described 6 for ETSI, have you performed any other contract work for 7 any other standard-setting organization that's 8 associated with the 3GPP project? 9 <b>A. No, I haven't.</b> 10 Q. Where do you currently work? 11 <b>A. I currently work at Bishop Communications</b> 12 <b>Limited, which is a -- a firm that I -- I set up to</b> 13 <b>provide standards and intellectual property consultation</b> 14 <b>services.</b> 15 Q. How many employees does Bishop Communications 16 Limited have? 17 <b>A. Just one.</b> 18 Q. That's you? 19 <b>A. That's right, yeah.</b> 20 Q. I'm going to go ahead and introduce the first 21 exhibit. So I'm just going to be dropping these into 22 the chat window in the Zoom, so we'll see if that works. 23 <b>A. Okay. If I can find it.</b> 24 Q. It is uploading. 25 (Plaintiff's Exhibit 1, Curriculum Vitae</p>	<p>19</p> <p>1 <b>A. Okay.</b> 2 Q. I am paying attention, but that's -- that's why. 3 So looking at the first page of your CV, I see 4 you have a -- the first thing under career history, 5 Bishop Communications Limited. That's the Bishop 6 Communications we were just discussing, right? 7 <b>A. Yes, that's right. Yeah.</b> 8 Q. And under -- under there, a few lines down, it 9 says "company is a full ETSI member." 10 <b>A. Yes.</b> 11 Q. Do you see where I am? 12 <b>A. (Witness moves head up and down.)</b> 13 Q. What does that mean, to be a full ETSI member? 14 <b>A. That means that I'm entitled to attend any ETSI</b> 15 <b>meetings and get involved with any of the technical</b> 16 <b>bodies at ETSI.</b> 17 Q. And then looking at the -- the first two bullet 18 points under the activities heading, did -- are those 19 two -- are those descriptions of the contract work that 20 you had described earlier? 21 <b>A. Yes, they are. Yeah.</b> 22 Q. And I wanted to take a looked at the third 23 bullet point and understand what you mean here. It 24 reads "provision of expert report for IPR litigation." 25 IPR, that's intellectual property rights?</p>
<p>18</p> <p>1 of Craig Bishop, was marked for identification.) 2 BY MS. HAYDEN: 3 Q. I think it -- oh, it's a little slow. Now sure 4 why. Oh, there we go. It should be there. 5 For the record, this is -- this Exhibit 1, it's 6 a document entitled "Curriculum Vitae." It was produced 7 in the Cobblestone case as JD-COBB_00067540 and was 8 provided in the Wireless Alliance case as Appendix 1 to 9 Mr. Bishop's report. 10 You can just let me know when you have that 11 open. 12 <b>A. Okay. I can -- I can see it there. So I should</b> 13 <b>just double-click on it to open it; is that right?</b> 14 Q. I think -- 15 <b>A. Or will the chat know to open?</b> 16 MR. BARTON: I think you have to download 17 it to a -- to your desktop or a folder. 18 THE WITNESS: Okay. That's fine. 19 Okay. I have that open now. 20 BY MS. HAYDEN: 21 Q. Okay. Great. 22 I wanted to just take a look at some materials 23 here. And, also, if you see me looking away, I have 24 another monitor over there and I also have some papers, 25 so --</p>	<p>20</p> <p>1 <b>A. Yes.</b> 2 MR. BARTON: Object to form. 3 And just make sure, Mr. Bishop, you give 4 me a pause so I can make an objection when needed. 5 THE WITNESS: Okay. That's fine. 6 BY MS. HAYDEN: 7 Q. And it continues -- and your -- your CV 8 continues, "from standards landscape analysis." What -- 9 what do you mean by "standards landscape analysis"? 10 <b>A. Looking at the activities related to the</b> 11 <b>standardization and adopting specification --</b> 12 <b>specifications at a given time for a given period or</b> 13 <b>perhaps for a given release.</b> 14 Q. And after the first slash, it reads "background 15 technical reports to expert testimony reports." 16 What did you mean by that phrase? 17 <b>A. Okay. Background technical reports could be</b> 18 <b>writing about the -- the background technical aspects of</b> 19 <b>the standard, so the backdrop against which certain</b> 20 <b>patents were produced. So this is opposed as to -- as</b> 21 <b>opposed to technical reports, expert technical reports</b> 22 <b>which might be submitted for testimony.</b> 23 Q. I think I understand. Thank you. 24 And the last part of that is "declarations and 25 depositions on matters, including the public</p>

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6 (21 to 24)

<p>21</p> <p>1 availability of 3GPP and ETSI prior art." 2 Is that -- is that the type of declaration 3 you've provided in these two cases? 4 <b>A. The declaration I've provided for those two</b> 5 <b>cases just relate to the public availab- -- availability</b> 6 <b>of the prior art, yes.</b> 7 <b>Q. How many declarations on public availability of</b> 8 <b>prior art have you -- have you provided in litigation?</b> 9 MR. BARTON: Object to form. 10 THE WITNESS: I don't recall, in actual 11 fact. Several, but I don't have that -- 12 BY MS. HAYDEN: 13 <b>Q. Do you think it's over 50?</b> 14 <b>A. Probably not as many as 50.</b> 15 <b>Q. In -- are you familiar with something called</b> 16 <b>inter partes reviews with the United States Patent</b> 17 <b>Office?</b> 18 <b>A. Yes, I am.</b> 19 <b>Q. Have you provided declaration on the public</b> 20 <b>availability of prior art in IPRs, or inter partes</b> 21 <b>reviews?</b> 22 <b>A. Yes, I have.</b> 23 <b>Q. About how many declarations have you provided in</b> 24 <b>the context of IPRs on public availability?</b> 25 <b>A. Okay. I was -- I was including the -- the USPTO</b></p>	<p>23</p> <p>1 second one that's listed there? 2 <b>A. I -- yes, it is.</b> 3 MR. BARTON: Object to form. 4 THE WITNESS: Yes, I believe so. 5 BY MS. HAYDEN: 6 <b>Q. Have you ever testified in Court on public</b> 7 <b>availability of prior art?</b> 8 <b>A. No, I haven't.</b> 9 <b>Q. Have you ever testified in a United States</b> 10 <b>district court, as opposed to testimony in the UK?</b> 11 <b>A. No, I haven't.</b> 12 <b>Q. And looking at that testimony that's on page --</b> 13 <b>that testimony list that's on page 2 of your CV, is it</b> 14 <b>fair to say that each of the entries listed there under</b> 15 <b>"expert testimony through deposition" and "expert</b> 16 <b>testimony in court," that you were offering testimony on</b> 17 <b>behalf of a party accused of patent infringement?</b> 18 <b>A. Yes.</b> 19 <b>Q. Have you ever done expert work for a patent</b> 20 <b>owner?</b> 21 <b>A. Yes, I have.</b> 22 <b>Q. About how many times?</b> 23 <b>A. Difficult to remember.</b> 24 <b>Q. Do you have an estimate of the, you know,</b> 25 <b>percentage of engagements you've had as an expert</b></p>
<p>22</p> <p>1 <b>IPRs --</b> 2 <b>Q. Fair enough.</b> 3 <b>A. -- in the figure that I gave.</b> 4 <b>Q. Okay. So combining litigation and IPR work, do</b> 5 <b>you think you've provided 25 declarations on the subject</b> 6 <b>of public availability of prior art?</b> 7 <b>A. That probably is about right.</b> 8 <b>Q. How many times have you had your deposition</b> 9 <b>taken in the context of providing a declaration on the</b> 10 <b>public availability of prior art?</b> 11 <b>A. I think this is the second time where it's just</b> 12 <b>related to prior art.</b> 13 <b>Q. What was the other time, do you recall --</b> 14 <b>A. The other time was -- I was asked about the</b> 15 <b>availability of prior art as part of a kind of wider</b> 16 <b>deposition, where I was also answering questions on</b> 17 <b>technical aspects.</b> 18 <b>Q. Do you recall what case that was?</b> 19 <b>A. Yes, I do.</b> 20 <b>Q. What -- what case was that?</b> 21 <b>A. I don't know the number, but it was T-Mobile v.</b> 22 <b>Huawei.</b> 23 <b>Q. If you look at the second page of your CV under</b> 24 <b>the heading "expert testimony through deposition," is</b> 25 <b>it -- is that T-Mobile v. Huawei case -- is that the</b></p>	<p>24</p> <p>1 that -- that you represented the patent owner, as 2 opposed to a party accused of patent infringement? 3 <b>A. As I would consider there to be a difference</b> 4 <b>between representing and working on behalf of -- so when</b> 5 <b>it comes to representation, I would say that I generally</b> 6 <b>have represented the defendants in cases, because I find</b> 7 <b>it easier to avoid conflicts of interest in that case.</b> 8 <b>Q. And what about working on behalf of -- do you</b> 9 <b>have an estimate of the percentage of engagements you've</b> 10 <b>had as an expert where you worked on behalf of the</b> 11 <b>patent owner, as opposed to a party accused of patent</b> 12 <b>infringement?</b> 13 <b>A. As an estimate, I would say maybe 10 percent.</b> 14 <b>Q. At -- at your consulting firm, Bishop -- Bishop</b> 15 <b>Communications, about how much of your time is doing</b> 16 <b>litigation consulting versus non-litigation consulting?</b> 17 MR. BARTON: Object to form. 18 THE WITNESS: Most of my work is 19 litigation, so most of my work is consulting 20 related to litigation or potential litigation. 21 BY MS. HAYDEN: 22 <b>Q. When you say most of your work, is that more</b> 23 <b>than 75 percent or less?</b> 24 <b>A. That's probably more than 75 percent.</b> 25 <b>Q. Do you think it's more than 90 percent?</b></p>

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11 (41 to 44)

<p>41</p> <p>1 <b>A. It's a 3GPP deliverable which specifies</b>  2 <b>interfaces or protocols for the 3GPP system, whether</b>  3 <b>that be UMTS, LTE, et cetera.</b>  4 Q. Have you ever uploaded any technical  5 specifications to the 3GPP file server?  6 <b>A. No, I haven't.</b>  7 Q. Is that something that -- let me -- let me  8 strike that.  9 Do you know who is responsible for uploading  10 technical specifications to the 3GPP file server?  11 <b>A. That support work is usually done by the Mobile</b>  12 <b>Competence Centre, which is part of ETSI, which provides</b>  13 <b>secretarial services for the 3GPP project.</b>  14 Q. Have you ever done any work for the Mobile  15 Competence Centre?  16 <b>A. No, I haven't.</b>  17 Q. Do you -- do you personally know anyone who  18 works at the Mobile Competence Centre?  19 <b>A. I have worked with people who work for the</b>  20 <b>Mobile -- Mobile Competence Centre in the past, but I</b>  21 <b>don't have -- I don't know them currently, so I'm not in</b>  22 <b>touch with anybody who works there.</b>  23 Q. What type of work have you done with -- with  24 folks at the Mobile Competence Centre in the past?  25 <b>A. So could you ask the question again?</b></p>	<p>43</p> <p>1 <b>A. So, yes.</b>  2 Q. And then looking at the second page of that, way  3 at the bottom, there's a listing of what you call 3GPP  4 Exhibits A through E that goes onto the next page. Do  5 you see that?  6 <b>A. Yes, I do.</b>  7 Q. Did you upload any of these five documents  8 labeled A through E to the 3GPP file server?  9 <b>A. No, I didn't.</b>  10 Q. Do you know who did?  11 <b>A. No, I don't.</b>  12 Q. Did you conduct any investigation to try to  13 determine who uploaded these documents A through E to  14 the file server?  15 <b>A. I relied on my experience with 3GPP in knowing</b>  16 <b>that the MCC would've uploaded these documents to the</b>  17 <b>3GPP server.</b>  18 Q. Oh, MCC is Mobile Competence Centre?  19 <b>A. Yes, that's right.</b>  20 Q. Okay. And these -- these five documents -- I  21 think it's four technical specifications and a TDoc --  22 you're not offering any opinions on the -- the technical  23 substance of these materials, right?  24 <b>A. No, I'm not.</b>  25 Q. Okay. I just had one question on the Wireless</p>
<p>42</p> <p>1 Q. Sure. You -- you'd mentioned that you'd worked  2 with people who work for the Mobile Competence Centre,  3 right?  4 <b>A. Yes. That's -- that's alongside, yes.</b>  5 Q. What type of work did you do alongside those --  6 <b>A. Okay.</b>  7 Q. -- Mobile Competence Centre folks?  8 <b>A. So as a delegate, I would write a temporary</b>  9 <b>document for submission to a meeting. I would send that</b>  10 <b>temporary document to the meeting secretary, who</b>  11 <b>would've been an employee of the Mobile Competence</b>  12 <b>Centre. And they would upload that temporary document</b>  13 <b>to the 3GPP server and list it in the TDocs list and</b>  14 <b>prepare it for forthcoming meeting.</b>  15 Q. How would you send the TDocs to the meeting  16 secretary?  17 <b>A. Those would be sent as attachments to e-mails.</b>  18 Q. When you were preparing your declarations for  19 the Cobblestone and Wireless Alliance cases, did you  20 reach out to anyone at the Mobile Competence Centre?  21 <b>A. No, I didn't.</b>  22 Q. Okay. Looking at the Cobblestone declaration,  23 which is Exhibit 2, you have a list of exhibits and  24 appendices very close to the beginning. Do you see  25 where I am?</p>	<p>44</p> <p>1 Alliance declaration, but I think it's a great time for  2 a short break. So let's take a look at Exhibit 3, the  3 Wireless Alliance declaration. And I am looking at the  4 table of contents starting on page 2 of the PDF. Just  5 let me know when you're there.  6 <b>A. Yes, I have that.</b>  7 Q. Okay. And there's a -- I guess it goes on for  8 three pages, but there -- there is a Section IV here  9 called "3GPP Exhibits." Do you see that?  10 <b>A. Sorry. Which page are you looking at this time?</b>  11 Q. It is the first page of the table of contents,  12 so I think it's PDF page 2.  13 <b>A. Okay. Yes, I've got the first page of the table</b>  14 <b>of contents.</b>  15 Q. And there's a Section IV listed there about  16 halfway down the page called "3GPP Exhibits" --  17 <b>A. Yes, I see that.</b>  18 Q. And then there's a number of what you've labeled  19 "3GPP exhibits" listed here in subsections A through, I  20 guess, double D. Do you see that?  21 <b>A. Yes, I do.</b>  22 Q. For the 3GPP documents that are -- that are  23 listed in these headings, did you upload any of these  24 documents to the 3GPP file server?  25 <b>A. No, I didn't.</b></p>

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13 (49 to 52)

<p style="text-align: right;">49</p> <p>1 the file server."</p> <p>2 That's the same MCC, or Mobile Competence</p> <p>3 Centre, we were discussing earlier?</p> <p>4 A. Yes, it is.</p> <p>5 Q. And it's -- it's the MCC that would upload the</p> <p>6 technical specification to the 3GPP file server, right?</p> <p>7 A. Yes, it is.</p> <p>8 Q. And then the next sentence states that, "In that</p> <p>9 way, the conclusion of 3GPP TSG plenary meetings serves</p> <p>10 as notice that the new versions of specifications</p> <p>11 incorporating Change Requests approved by the TSG</p> <p>12 meeting will shortly be made available on the public</p> <p>13 3GPP server."</p> <p>14 When you say "will shortly be made," what --</p> <p>15 what time frame does that refer to?</p> <p>16 A. Usually -- it depends how many documents the MCC</p> <p>17 officer in question is responsible for and how big the</p> <p>18 changes are, but usually that will be within two to</p> <p>19 three weeks.</p> <p>20 Q. How do you know that?</p> <p>21 A. Based on experience, what I've seen.</p> <p>22 Q. What experience were you referring to in the</p> <p>23 last -- in your last answer?</p> <p>24 A. Okay. So my experience when I was working in</p> <p>25 3GPP was that when change requests were approved, the</p>	<p style="text-align: right;">51</p> <p>1 other to make sure one group is aware of related work in</p> <p>2 another group.</p> <p>3 The meeting reports themselves can be given</p> <p>4 three -- all three to those TDocs and given a TDoc</p> <p>5 number for approval at a subsequent meeting. And then</p> <p>6 TDocs can also be change requests, which are official</p> <p>7 change notes that are used to update and -- a given</p> <p>8 release of a specification and to create a new version</p> <p>9 of the specification or report.</p> <p>10 Q. You mentioned two different kinds of meetings,</p> <p>11 working group meetings and plenary meetings, in your</p> <p>12 last answer. What is the difference between those two?</p> <p>13 A. Well, in terms of the makeup of the group, a</p> <p>14 working group meeting will be perhaps a more specialist</p> <p>15 meeting. So, for example, RAN Working Group 1 will deal</p> <p>16 with the physical layer aspects of the radio interface.</p> <p>17 RAN Working Group 2 will deal with layers 2 and 3, so</p> <p>18 the RLC and the MAC protocol and the radio exhaust</p> <p>19 protocol, two examples. TSG RAN plenary will be a</p> <p>20 meeting that involves people from RAN1 and RAN2 and the</p> <p>21 other RAN working groups, which takes a broader view and</p> <p>22 looks at the changes that were discussed and agreed</p> <p>23 within the working groups and then the -- and then</p> <p>24 approves those accordingly, and also approves new work</p> <p>25 items or study items that may have been submitted to and</p>
<p style="text-align: right;">50</p> <p>1 MCC officer involved would take those back and those</p> <p>2 would appear as new versions of the specifications</p> <p>3 within a short period of time, sometimes by the end of</p> <p>4 the meeting, but if not, then within a short period of</p> <p>5 time afterwards. And then since I've been working as an</p> <p>6 independent consultant and looking a lot at the</p> <p>7 availability of specifications, I have seen that</p> <p>8 specifications are invariably made available within two</p> <p>9 to three weeks, maximum time, of the meeting at which</p> <p>10 they were approved.</p> <p>11 Q. Moving to paragraph 29 of your Cobblestone</p> <p>12 declaration. There's reference to these temporary</p> <p>13 docks, or TDocs, that we were discussing earlier. Do</p> <p>14 you see that?</p> <p>15 A. Yes, I do.</p> <p>16 Q. What is the purpose of TDocs in the context of</p> <p>17 3GPP?</p> <p>18 A. TDocs are documents that are submitted to</p> <p>19 working group meetings and to plenary meetings. The</p> <p>20 purpose of those documents can be that they're technical</p> <p>21 contributions which may propose a new feature, discuss</p> <p>22 certain aspects or parameters with a -- of a feature.</p> <p>23 They can be proposals for new work items, proposals for</p> <p>24 new study items. They can be liaison statements from</p> <p>25 other groups, because the groups have to talk to each</p>	<p style="text-align: right;">52</p> <p>1 discussed at the working group meetings.</p> <p>2 Q. What's the difference between a work item and a</p> <p>3 study item, using the terms that you used in your last</p> <p>4 answer?</p> <p>5 A. A work item will usually result in changes to</p> <p>6 specifications, and work items quite often follow study</p> <p>7 items. So when a new idea is put forward, often it will</p> <p>8 be put forward as a study item and the first work that</p> <p>9 will be done on it would be to study its feasibility and</p> <p>10 propose changes that might be necessary to the standard</p> <p>11 to accommodate the new feature.</p> <p>12 Then a work item is created once the study item</p> <p>13 has been completed, sometimes in parallel with but</p> <p>14 usually towards the end of when that happens. And the</p> <p>15 work item will be something that contributors submit</p> <p>16 temporary contributions towards in order to make changes</p> <p>17 to the standard to incorporate the ideas that are put</p> <p>18 forward and agreed within the work item.</p> <p>19 Q. And moving to paragraph 49 of your Cobblestone</p> <p>20 report. If you can let me know when you're there.</p> <p>21 A. Yes, I'm there.</p> <p>22 Q. And towards the end of that paragraph, it reads</p> <p>23 "the original upload date for" -- "for files including</p> <p>24 specifications has always been preserved."</p> <p>25 Do you see where I was reading from?</p>

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14 (53 to 56)

<p>53</p> <p>1 <b>A. Yes, I do.</b></p> <p>2 Q. How do you know that the original upload date</p> <p>3 for files including specifications has always been</p> <p>4 preserved at -- for the 3GPP file repository?</p> <p>5 <b>A. Well, the paragraph starts with "in my</b></p> <p>6 <b>experience." So my experience is that the original</b></p> <p>7 <b>upload date has always been preserved.</b></p> <p>8 Q. What experience are you referring to?</p> <p>9 <b>A. I'm talking about 25 years of working in and</b></p> <p>10 <b>around the 3GPP project, either as a delegate for a</b></p> <p>11 <b>member company or as a consultant, looking at</b></p> <p>12 <b>publications practices and availability of public</b></p> <p>13 <b>documents.</b></p> <p>14 Q. Any other experience that you're referring to in</p> <p>15 your prior answer?</p> <p>16 <b>A. No. I think that covers it.</b></p> <p>17 Q. Okay. Let's move to 52, paragraph 52 on the</p> <p>18 next page. I'm looking at the second sentence. It</p> <p>19 begins, "When a document is uploaded, the file server."</p> <p>20 Do you see where I am?</p> <p>21 <b>A. Yes, I do.</b></p> <p>22 Q. What do you mean by "file server" here?</p> <p>23 <b>A. Well, the file sever is like file manager</b></p> <p>24 <b>program or what -- the server is actually a piece of</b></p> <p>25 <b>hardware. The server has locations where documents can</b></p>	<p>55</p> <p>1 Q. You've never managed the 3GPP file server that</p> <p>2 you're talking about, right?</p> <p>3 <b>A. No, I haven't.</b></p> <p>4 Q. Who manages that -- excuse me.</p> <p>5 Who -- who manages that? Is that the Mobile</p> <p>6 Competency Centre at ETSI?</p> <p>7 <b>A. I don't know if they're responsible for managing</b></p> <p>8 <b>the servers themselves, but they are responsible for the</b></p> <p>9 <b>content in the servers.</b></p> <p>10 Q. Do you know who manages those servers?</p> <p>11 <b>A. No, I don't.</b></p> <p>12 MR. BARTON: Object to form.</p> <p>13 BY MS. HAYDEN:</p> <p>14 Q. What -- when you said that the Mobile Competency</p> <p>15 Centre is responsible for the content in the server,</p> <p>16 what did you mean by that?</p> <p>17 <b>A. They are responsible for managing and providing</b></p> <p>18 <b>secretary service -- secretarial services for the 3GPP</b></p> <p>19 <b>project, and they control, either directly or now</b></p> <p>20 <b>through software interfaces, the access to that -- that</b></p> <p>21 <b>server for uploading, storing documents.</b></p> <p>22 Q. I think you mentioned earlier a time stamp, and</p> <p>23 I see that's mentioned in paragraph 52. You say in 52</p> <p>24 "the file server automatically assigns the document a</p> <p>25 time stamp." How does that happen?</p>
<p>54</p> <p>1 <b>be stored digitally. When a document is created and</b></p> <p>2 <b>stored to a server digitally, then it -- a time stamp is</b></p> <p>3 <b>created as to when that happens. They're very like a</b></p> <p>4 <b>laptop or personal computer; when you create a document,</b></p> <p>5 <b>a time stamp is associated with that document and</b></p> <p>6 <b>generated automatically.</b></p> <p>7 Q. You mentioned a file manager program. What is</p> <p>8 the file manager program that the 3GPP file repository</p> <p>9 or file server uses?</p> <p>10 <b>A. I don't know. I don't know. I don't know</b></p> <p>11 <b>much -- I don't know anything about how the servers --</b></p> <p>12 <b>all I know is the servers are located with ETSI and ETSI</b></p> <p>13 <b>has responsibility for those servers, but I don't</b></p> <p>14 <b>know --</b></p> <p>15 Q. Do you know --</p> <p>16 <b>A. I --</b></p> <p>17 Q. Sorry.</p> <p>18 <b>A. Yeah, I don't know how those are accessed.</b></p> <p>19 Q. Do you know what kind of servers they are?</p> <p>20 <b>A. Computer servers. I mean, they're just -- like</b></p> <p>21 <b>a -- like a big computer, if you like. They -- they're</b></p> <p>22 <b>used for storing documents, and documents are uploaded</b></p> <p>23 <b>to them and they have a specific location within the</b></p> <p>24 <b>server. They can be addressed, for example, using a</b></p> <p>25 <b>browser or a dedicated FTP software.</b></p>	<p>56</p> <p>1 <b>A. The precise mechanism, I -- I don't know.</b></p> <p>2 Q. And does that -- does that time stamp end up on</p> <p>3 the 3GPP website?</p> <p>4 <b>A. In my experience, there's a time stamp</b></p> <p>5 <b>associated with every document that's on the 3GPP</b></p> <p>6 <b>website.</b></p> <p>7 Q. How does the time stamp --</p> <p>8 <b>A. Oh --</b></p> <p>9 Q. Excuse me. Go ahead.</p> <p>10 <b>A. -- I should say 3GPP server. The website's a</b></p> <p>11 <b>different thing.</b></p> <p>12 Q. Fair enough.</p> <p>13 And that -- that time stamp that's on the 3GPP</p> <p>14 server, how is that populated so that it can be viewed</p> <p>15 online?</p> <p>16 <b>A. So the 3GPP server may be accessed via the 3GPP</b></p> <p>17 <b>website. It may be accessed via an FTP and a browser</b></p> <p>18 <b>and the 3GPP website. It can also be accessed using</b></p> <p>19 <b>dedicated file transfer protocol, FTP, software. And</b></p> <p>20 <b>the interface shows, in each of those cases, a list of</b></p> <p>21 <b>directories, which can then be entered to find</b></p> <p>22 <b>subdirectories and files.</b></p> <p>23 Q. In each of those cases, does the interface</p> <p>24 display a time stamp?</p> <p>25 <b>A. Yes, it does.</b></p>

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15 (57 to 60)

<p>57</p> <p>1 Q. In each of those cases, how is the time stamp 2 populated so that a user can view that time stamp by 3 whatever interface they choose to use? 4 A. Usually the -- there will be a date in the 5 format of year, a month and a day, and then there will 6 be an actual time in hours, minutes and seconds that the 7 document was uploaded to the site. 8 Q. What time zone is the time stamp in? 9 A. It depends -- in my experience, it depends which 10 time zone you're in. So -- no, actually that's -- 11 strike that. Strike that. That's not -- that's not 12 what I meant to say. 13 It's in the CET, so Central European time zone, 14 the time zone that they have in France. But the way 15 that its displayed can depend on the region you're in 16 and your computer settings. 17 Q. I see. 18 Do you know if anyone at 3GPP or ETSI can 19 manually alter those time stamps? 20 A. I don't. 21 Q. Do you know if there -- there has ever been a 22 glitch in creating a time stamp for a 3GPP document 23 that's uploaded to its file server? 24 A. I'm not aware that there has ever been a glitch 25 or a problem with that.</p>	<p>59</p> <p>1 A. I mean the business practices of 3GPP as I am 2 aware of them. What we should probably take into 3 account here is, actually, 3GPP is a project. It's not 4 a legal entity; it's a cooperative project between a 5 number of companies. And so these are the practices 6 that I have observed 3GPP using, but also, within my 7 position in Samsung, I was involved in discussions from 8 the partners -- partnership coordination group, which 9 has the responsibility for the overall planning of 3GPP, 10 and so that also -- that's another aspect of my 11 experience at 3GPP which enables me to be aware of their 12 regular business practices. 13 Q. And looking at the -- the last sentence of this 14 paragraph, you -- the second part of it, you say that 15 "my personal experience confirms that the time stamps 16 have always been a reliable way to determine when a file 17 was uploaded to the 3GPP website." 18 What personal experience are you referring to in 19 that sentence? 20 A. My personal experience as a delegate attending 21 meetings for RAN1, RAN2, SA1, SA2 and a number of other 22 working groups. Also attending TSG plenary groups, 23 being aware of when documents were uploaded, being aware 24 of when documents I had sent to the secretaries of 25 meetings were uploaded and seeing when they appeared on</p>
<p>58</p> <p>1 Q. Is that something you investigated in preparing 2 your declarations in these cases? 3 A. No, because based on my experience, it's -- it 4 has never happened. 5 Q. How do you know it's never happened? 6 A. Because I've been working with 3GPP, either 7 directly in 3GPP or looking at 3GPP publication and 8 practices, for 25 years, and I've never seen it happen. 9 I've never come across a case where a date appears to be 10 wrong or appears to have been changed, and I've never 11 heard of any case where that's happened. 12 Q. You mentioned that you were working directly 13 with 3GPP. What did you mean by that? 14 A. I meant as a delegate on behalf of a member 15 company, Samsung. 16 Q. So you -- you've never been employed or -- 17 employed as an employee or independent contractor with 18 3GPP? 19 A. No, I haven't. 20 Q. Okay. In looking at the same -- the same 21 sentence, you refer to the regular business practices of 22 3GPP. Do you see where I am? 23 A. Yes. 24 Q. What did you mean by "regular business 25 practices" here?</p>	<p>60</p> <p>1 the doc- -- on the file server. So I have quite a lot 2 of experience over the last 25 years that these time 3 stamps are and have always been reliable. 4 Q. All right. I wanted to go through some of the 5 specific documents you discussed in your declaration, 6 but we'll start with the Cobblestone declaration. So 7 I'm starting with the technical specification 36.300 8 Version 10.3.0, beginning on page 28. Do you see where 9 I am? 10 A. Yes, I have it. 11 Q. Okay. And then looking at paragraph 57, you 12 refer to an Appendix 24 and then have a screenshot from 13 that; is that right? 14 A. Yes, that's right. 15 Q. Okay. Let's take a look at Appendix 24. I'm 16 going to upload that to the chat as Exhibit 4. 17 (Plaintiff's Exhibit 4, Appendix 24, 18 Bates stamped JD-COBB_00067879 through 19 JD-COBB_00067883, was marked for identification.) 20 BY MS. HAYDEN: 21 Q. All right. While that's uploading, this is what 22 I believe to be Appendix 24 to this Cobblestone expert 23 declaration. It has the beginning Bates ending in 24 67879. If you can just let me know when you have that 25 open.</p>

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16 (61 to 64)

<p>61</p> <p>1 <b>A. Yes, that's open.</b></p> <p>2 Q. This document, this Exhibit 4, did you generate</p> <p>3 this PDF?</p> <p>4 <b>A. I printed it from the website. So it was open</b></p> <p>5 <b>in the browser and I did control-P to print it in the</b></p> <p>6 <b>PDF format.</b></p> <p>7 Q. And that was on -- was that on April 24? I'm</p> <p>8 looking at the top left corner.</p> <p>9 <b>A. Yes.</b></p> <p>10 Q. And I -- I believe you excerpted part of this</p> <p>11 exhibit, this Appendix 24, on the top of page 30 of your</p> <p>12 Cobblestone declaration. Is that right?</p> <p>13 <b>A. That is right, for ease of reference, yes.</b></p> <p>14 Q. And you're -- I believe you're relying on the</p> <p>15 second item in that excerpt on page 30, this</p> <p>16 36300-a30.zip; is that right?</p> <p>17 <b>A. Yes, that's right.</b></p> <p>18 Q. You didn't upload this ZIP file to the file --</p> <p>19 the 3GPP file server, right?</p> <p>20 <b>A. No, I didn't.</b></p> <p>21 Q. It would've been someone at MCC?</p> <p>22 <b>A. Yes, it would.</b></p> <p>23 Q. And the -- this string that reads "2011/04/05"</p> <p>24 and, I guess, 12:43 a.m. -- I guess that's what that</p> <p>25 means -- is that the time stamp you're -- you were</p>	<p>63</p> <p>1 Q. Do you know how this time stamp was generated</p> <p>2 for this ZIP file that you show in paragraph 58?</p> <p>3 <b>A. Based on my experience, the time stamp shows the</b></p> <p>4 <b>creation date or the last modification date of the Word</b></p> <p>5 <b>document that's in the ZIP file, and that would've</b></p> <p>6 <b>been --</b></p> <p>7 Q. Did --</p> <p>8 <b>A. -- generated by the computer of the person that</b></p> <p>9 <b>had produced the Word document.</b></p> <p>10 Q. So this wouldn't be gen- -- this time stamp in</p> <p>11 paragraph 58 wouldn't be generated by the 3GPP file</p> <p>12 server; it would've been generated by the computer of</p> <p>13 the person uploading the document?</p> <p>14 <b>A. The date of the Word document inside of the ZIP</b></p> <p>15 <b>file would've been automatically generated by the</b></p> <p>16 <b>computer of the person who had drafted the document.</b></p> <p>17 Q. Oh, who had draft- -- who had drafted the</p> <p>18 document or last modified it?</p> <p>19 <b>A. Yes.</b></p> <p>20 Q. Okay. Do you know why this -- this date or this</p> <p>21 time stamp is in a different format, meaning the</p> <p>22 European format versus the American format?</p> <p>23 <b>A. That's because dates are shown in European</b></p> <p>24 <b>format on my computer because I'm based on the UK and</b></p> <p>25 <b>I'm used to working with --</b></p>
<p>62</p> <p>1 referring to earlier?</p> <p>2 <b>A. Yes, it is.</b></p> <p>3 Q. Do you know how this time stamp was generated?</p> <p>4 <b>A. It was generated automatically when the document</b></p> <p>5 <b>was uploaded by the server that it was uploaded to.</b></p> <p>6 Q. How does the file server automatically generate</p> <p>7 the time stamp?</p> <p>8 <b>A. I haven't looked into that, so I don't know the</b></p> <p>9 <b>details, so I don't know.</b></p> <p>10 Q. How can you know that the time stamp is accurate</p> <p>11 if you don't know how it was generated?</p> <p>12 <b>A. Because, based on my experience, the time stamps</b></p> <p>13 <b>have always been accurate. They've always reflected</b></p> <p>14 <b>when the documents are uploaded. The 3GPP frequently</b></p> <p>15 <b>asks questions to make it clear that the time stamp can</b></p> <p>16 <b>be relied upon and is automatically generated. And I</b></p> <p>17 <b>have no reason to believe that it's -- it's unreliable</b></p> <p>18 <b>in any way.</b></p> <p>19 Q. Looking at the next paragraph, paragraph 58, you</p> <p>20 talk about another time stamp there; is that right?</p> <p>21 <b>A. Yes, that's right.</b></p> <p>22 Q. It seems to be another date stamp of some sort</p> <p>23 for the -- for the ZIP file itself that you downloaded</p> <p>24 from the website?</p> <p>25 <b>A. That's right.</b></p>	<p>64</p> <p>1 Q. Oh --</p> <p>2 <b>A. -- European format.</b></p> <p>3 Q. -- that makes sense.</p> <p>4 So the -- the opinions you're offering in</p> <p>5 Section IV-A of your Cobblestone declaration, these all</p> <p>6 concern Version 10.3.0 of technical specification</p> <p>7 36.300, right?</p> <p>8 <b>A. Section A concerns that -- that specification,</b></p> <p>9 <b>yes.</b></p> <p>10 Q. And you're not offering any opinions on public</p> <p>11 availability of any other versions of TS36.300, right?</p> <p>12 <b>A. Not in this section, no.</b></p> <p>13 Q. Are -- are you offering any opinions on the</p> <p>14 public availability of other versions of TS 36.300 in --</p> <p>15 elsewhere in your report?</p> <p>16 <b>A. No.</b></p> <p>17 Q. Okay. I wanted to move on to the next section,</p> <p>18 section -- subsection B that starts on page 31. Do you</p> <p>19 see where I am?</p> <p>20 <b>A. Yes, I do.</b></p> <p>21 Q. Okay. And this -- this concerns technical</p> <p>22 specification 23.401; is that right?</p> <p>23 <b>A. Yes, that's right.</b></p> <p>24 Q. Okay. Looking at paragraph 63, the first part</p> <p>25 of this refers to 3GPP TS 25.301. Is -- is that just a</p>

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28 (109 to 112)

<p style="text-align: right;">109</p> <p>1 Q. Who is that?</p> <p>2 <b>A. That would've been Gert-Jan van der Velde --</b></p> <p>3 <b>sorry. Gert-Jan van Lieshout and Himke van der Velde.</b></p> <p>4 Q. Did you -- did you reach out to either of those</p> <p>5 gentlemen in preparing your declaration for the Wireless</p> <p>6 Alliance case?</p> <p>7 <b>A. No, I didn't.</b></p> <p>8 Q. Did you ever have a conversation with either of</p> <p>9 them about this Meeting Number 71bis?</p> <p>10 <b>A. Not that I recall.</b></p> <p>11 Q. Do you know if R2-105960 was discussed at the</p> <p>12 Number 71bis meeting?</p> <p>13 <b>A. I don't recall. It will say in the minutes.</b></p> <p>14 Q. Okay. Looking at the next paragraph, 171,</p> <p>15 again, towards the end of it, there's another screen</p> <p>16 grab, it appears. Is that right?</p> <p>17 <b>A. Yes, I see that.</b></p> <p>18 Q. Is this a screen grab that you yourself</p> <p>19 generated from the 3GPP file server?</p> <p>20 <b>A. Yes, that's right.</b></p> <p>21 Q. And I -- I believe you're relying again on the</p> <p>22 second line, the one that begins "R2-105960.zip." Is</p> <p>23 that correct?</p> <p>24 <b>A. Yes, that's correct.</b></p> <p>25 Q. You didn't upload this ZIP file to the 3GPP file</p>	<p style="text-align: right;">111</p> <p>1 screen grab?</p> <p>2 <b>A. Okay.</b></p> <p>3 Q. The line "R2-103161." Do you see where I am?</p> <p>4 <b>A. Yes, I do.</b></p> <p>5 Q. And that date stamp that's shown there, the</p> <p>6 May 3rd, 2010, aside from believing that that's</p> <p>7 automatically generated by the file server, you don't</p> <p>8 know how that's generated?</p> <p>9 <b>A. No, I don't.</b></p> <p>10 Q. Okay. Thank you, Mr. Bishop. That's all the</p> <p>11 questions I have for you at this time.</p> <p>12 MS. HAYDEN: I pass the witness.</p> <p>13 MR. BARTON: Okay. I have no questions</p> <p>14 for Mr. Bishop. We'll reserve the right to read</p> <p>15 and sign. I don't think there was anything in here</p> <p>16 that needed to be marked as confidential, so I</p> <p>17 think we can go off the record.</p> <p>18 THE VIDEOGRAPHER: Stand by. We are</p> <p>19 going off the record. The time now is 11:24 a.m.</p> <p>20</p> <p>21 (The deposition was concluded at 11:24</p> <p>22 a.m.)</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">110</p> <p>1 server; is that right?</p> <p>2 <b>A. No, I didn't upload it.</b></p> <p>3 Q. That would've been uploaded by someone at the</p> <p>4 MCC?</p> <p>5 <b>A. Yes, it would have been uploaded by the MCC.</b></p> <p>6 Q. And the -- the date stamp that's shown here,</p> <p>7 aside from believing that that's automatically generated</p> <p>8 by the file server, you don't know how that's generated?</p> <p>9 <b>A. No, I don't.</b></p> <p>10 Q. And looking at paragraph 172, there's, again,</p> <p>11 discussion of another date stamp. Is that date stamp</p> <p>12 discussed in paragraph 172 -- do you -- do you believe</p> <p>13 that corresponds to the last modified date of the Word</p> <p>14 file?</p> <p>15 <b>A. Yes, the last modified date of the Word file</b></p> <p>16 <b>that appears in Exhibit 1.</b></p> <p>17 Q. And you weren't the person to last modify that</p> <p>18 file; that would've been someone at Ericsson?</p> <p>19 <b>A. That would have been my assumption, yes.</b></p> <p>20 Q. Okay. And I want to -- I wanted to go back and</p> <p>21 ask you about something in paragraph 166 that I</p> <p>22 neglected to ask you. If you could go back there and</p> <p>23 let me know when you're there.</p> <p>24 <b>A. Okay. I'm there.</b></p> <p>25 Q. And I'm looking on page 72 at that -- at the</p>	<p style="text-align: right;">112</p> <p>1 DISCLOSURE</p> <p>2 Pursuant to Article 10.B of the Rules and</p> <p>3 Regulations of the Board of Court Reporting of the</p> <p>4 Judicial Council of Georgia which states: Each</p> <p>5 court reporter shall tender a disclosure form at</p> <p>6 the time of the taking of the deposition stating</p> <p>7 the arrangements made for the reporting services of</p> <p>8 the certified court reporter, by the certified</p> <p>9 court reporter, the court reporter's employer or</p> <p>10 the referral source for the deposition, with any</p> <p>11 party to the litigation, counsel to the parties, or</p> <p>12 other entity. Such form shall be attached to the</p> <p>13 deposition transcript, I make the following</p> <p>14 disclosure: I am a Georgia Certified Court</p> <p>15 Reporter. I am here as a representative of Planet</p> <p>16 Depos.</p> <p>17 Planet Depos, was</p> <p>18 contacted to provide court reporting services for</p> <p>19 the deposition. Planet Depos, will not be taking</p> <p>20 this deposition under any contract that is</p> <p>21 prohibited by O.C.G.A. 9-11-28(c). Planet Depos,</p> <p>22 has no contract/agreement to provide reporting</p> <p>23 services with any party to the case, any counsel in</p> <p>24 the case, or any reporter or reporting agency from</p> <p>25 whom a referral might have been made to cover this</p>